

**SAN JOSÉ/EVERGREEN COMMUNITY
COLLEGE DISTRICT
San Jose, California**

**2010 MEASURE G GENERAL OBLIGATION BONDS
PERFORMANCE AUDIT**

June 30, 2012

SAN JOSÉ/EVERGREEN COMMUNITY COLLEGE DISTRICT

2010 MEASURE G GENERAL OBLIGATION BONDS
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June 30, 2012

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REPORT OF INDEPENDENT AUDITORS

Board of Trustees and Citizens' Bond Oversight
Committee
San José/Evergreen Community College District
San Jose, California

We have conducted a performance audit of the San José/Evergreen Community College District (the "District") 2010 Measure G General Obligation Bond funds for the year ended June 30, 2012.

We conducted our performance audit in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our conclusion based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our conclusions based on our audit objectives.

Our audit was limited to the objectives listed on page 4 of this report which includes determining the compliance with the performance requirements for the Proposition 39 Measure G General Obligation Bonds under the applicable provisions of Section 1(b)(3)(C) of Article XIII A of the California Constitution and Proposition 39 as they apply to the bonds and the net proceeds thereof. Management is responsible for San José/Evergreen Community College District's compliance with those requirements.

Solely to assist us in planning and performing our performance audit, we obtained an understanding of the internal controls of San José/Evergreen Community College District to determine if internal controls were adequate to help ensure the District's compliance with the requirements of Proposition 39, as specified by Section 1(b)(3)(C) of Article XIII A of the California Constitution. Accordingly, we do not express any assurance on the internal controls.

The results of our tests indicate that, in all significant respects, San José/Evergreen Community College District expended 2010 Measure G General Obligation Bond funds for the year ended June 30, 2012 only for specific projects developed by the District's Governing Board and approved by the voters, in accordance with the requirements of Proposition 39, as specified by Section 1(b)(3)(C) of Article XIII A of the California Constitution.

Crowe Horwath LLP
Crowe Horwath LLP

Sacramento, California
November 29, 2012

SAN JOSÉ/EVERGREEN COMMUNITY COLLEGE DISTRICT
2010 MEASURE G GENERAL OBLIGATION BONDS
BACKGROUND INFORMATION

LEGISLATIVE HISTORY

On November 7, 2000, California voters approved Proposition 39, the Smaller Classes, Safer Schools and Financial Accountability Act. Proposition 39 amended portions of the California Constitution to provide for the issuance of general obligation bonds by school districts, community college districts or county offices of education "for the construction, reconstruction, rehabilitation or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities", upon approval by 55% of the electorate.

Education Code Section 15278 provides additional accountability measures:

1. A requirement that the school district establish and appoint members to an independent citizens' oversight committee.
2. A requirement that the school district expend bond funds only for the purposes described in Section 1(b)(3) of Article XIII A of the California Constitution, and ensuring that no funds are used for any teacher or administrative salaries or other school operating expenses.
3. A requirement to conduct an annual independent performance audit required by Section 1(b)(3)C of Article XIII A of the California Constitution.
4. A requirement to conduct an annual independent financial audit required by Section 1(b)(3)D of Article XIII A of the California Constitution.

SAN JOSÉ/EVERGREEN COMMUNITY COLLEGE DISTRICT 2010 MEASURE G GENERAL OBLIGATION BONDS

The San José/Evergreen Community College District, Santa Clara County, California Election of 2010 General Obligation Bonds, Measure G were authorized at an election of the registered voters of the San José/Evergreen Community College District held on November 2, 2010 at which more than fifty-five percent of the persons voting on the proposition voted to authorize the issuance and sale of \$268,000,000 principal amount of general obligation bonds of the District. The Bonds are being issued to finance the acquisition, construction and modernization of certain District property and facilities. The Bonds are general obligations of the District, payable solely from *ad valorem* property taxes. A summary of the text of the ballot language was as follows:

"To better prepare San Jose City College/ Evergreen Valley College students for good paying jobs and transfer to four-year colleges, shall San Jose Evergreen Community College District upgrade, acquire, construct energy-efficient, technology-driven teaching classrooms, labs, sites, facilities/ equipment for health/ science, general education/ job-training, upgrade outdated electrical, plumbing, heating/ ventilation systems, by issuing \$268 million in bonds at legal rates, qualifying for matching funds, with citizen oversight, no money for administrator salaries, all funds staying local?"

SAN JOSÉ/EVERGREEN COMMUNITY COLLEGE DISTRICT
2010 MEASURE G GENERAL OBLIGATION BONDS
BACKGROUND INFORMATION

SAN JOSÉ/EVERGREEN COMMUNITY COLLEGE DISTRICT MEASURE G GENERAL OBLIGATION BONDS (Continued)

The District's Board of Trustees developed the following Bond Project List for the 2010 Measure G Bonds:

- Upgrade labs for science and medical training programs.
 - Provide classrooms for math, science, writing, and other core academic classes.
 - Update classrooms and facilities for improved job training and career technical education.
 - Update classrooms and educational facilities to meet current fire and safety codes and provide access for students with disabilities.
 - Upgrade facilities to improve energy efficiency and reduce operating expenses, allowing more funding for classroom instruction and student services.
 - Establish a technology endowment to maintain up-to-date computer learning necessary for a 21st Century education.

In November 2010, the constituents of the District approved Measure G authorizing the District to issue \$268,000,000 in general obligation bonds. As of June 30, 2011, the District has issued \$90,000,000 of Measure G bonds.

In February 2012, the District issued the 2010 General Obligation Bonds, Series A in the amount of \$70,000,000. The bonds mature beginning on August 1, 2012 through August 1, 2041, with interest yields ranging from two to four percent.

In February 2012, the District issued 2010 General Obligation Bonds, Series B in the amount of \$20,000,000. The bonds mature beginning on August 1, 2012 through August 1, 2032, with interest yields ranging from two to four percent.

SAN JOSÉ/EVERGREEN COMMUNITY COLLEGE DISTRICT
2010 MEASURE G GENERAL OBLIGATION BONDS
OBJECTIVES, SCOPE, METHODOLOGY AND CONCLUSIONS

OBJECTIVES

The objective of our performance audit was to determine that the District expended 2010 Measure G General Obligation Bond funds for the year ended June 30, 2012 only for the purposes approved by the voters and only on the specific projects developed by the District's Board of Trustees, in accordance with the requirements of Proposition 39, as specified by Section 1(b)(3)C of Article XIII A of the California Constitution.

SCOPE

The District provided to us a list of all 2010 Measure G General Obligation Bond project expenditures for the year ended June 30, 2012 (the "List"). An approximate total of 432 transactions were identified, representing \$12,317,499 in expenditures from July 1, 2011 through June 30, 2012.

METHODOLOGY

We performed the following procedures to the List of Measure G General Obligation Bond project expenditures for the year ended June 30, 2012:

- Interviewed District management related to controls over planning, bidding, contracting, expenditure of bond funds and financial reporting to assess that controls have been put in place and are working as documented.
- Documented District procedures and controls over planning, bidding, contracting, expenditure of bond funds and financial reporting.
- Performed tests to determine that the District controls over planning, bidding, contracting, expenditure of bond funds and financial reporting have been put in place and are working as documented.
- Verified the mathematical accuracy of the List.
- Selected a sample of 25 expenditures totaling \$9,453,843. The sample was selected to provide a representation across specific construction projects, vendors and expenditure amounts. The sample represented 6% of the number of expenditures and 77% of the total expenditure value. Verified that the expenditures were for the approved projects and were expended for the upgrading, acquiring, constructing and equipping of school facilities, including building art, science and math classrooms and labs, or expanding healthcare job training facilities, and that funds were not spent for District administrative or instructional salaries or other administrative expenses.

CONCLUSION

The results of our tests indicated that, in all significant respects, San José/Evergreen Community College District expended 2010 Measure G General Obligation Bond funds for the year ended June 30, 2012 only for the specific projects developed by the District's Governing Board and approved by the voters, in accordance with the requirements of Proposition 39, as specified by Section 1(b)(3)(C) of Article XIII A of the California Constitution.